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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/815,239	03/30/2004	Ratinder Paul Ahuja	06897.P007	8137
78855	7590	06/08/2009		
Patent Capital Group 6119 McCommas Blvd Dallas, TX 75214				
EXAMINER				
CHEN, SHIN HON				
ART UNIT		PAPER NUMBER		
2431				
NOTIFICATION DATE		DELIVERY MODE		
06/08/2009		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/815,239

Applicant(s)

AHUJA ET AL.

Examiner

SHIN-HON CHEN

Art Unit

2431

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 May 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-5,8,10-12,14-16 and 18-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-5,8,10-12,14-16 and 18-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1, 3-5, 8, 10-12, 14-16, and 18-23 have been examined.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 5/18/09 has been entered.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-5, 7-12 and 14-23 rejected under 35 U.S.C. 103(a) as being unpatentable over Peled et al. U.S. Pub. No. 20020129140 (hereinafter Peled) in view of Tarquini U.S. Pub. No. 20030084326 (hereinafter Tarquini).
5. As per claim 1, Peled discloses a computer implemented method comprising: maintaining a plurality of stored signatures, each signature being associated with one of a plurality of

registered documents (Peled: [0013]: signature of protected data is stored); intercepting packets being transmitted over a network (Peled: [0055]: the network is a packet network and the transport data monitor enable the signature extractor to extract a signature from a buffered/intercepted batch of packets); reassembling the packets into an intercepted document (Peled: [0055] lines 3-4: buffered batch of packets); calculating a set of signatures associated with the intercepted document (Peled: [0054]-[0056]: extract signature and the signature extractor comprises a binary hash function used to calculate signatures); and comparing the set of signatures associated with the intercepted document with the plurality of stored signatures to determine if the intercepted document contains content associated with a registered document, wherein each registered document is associated with a user that requested registration of the document (Peled: [0020]: comparator; [0011]: protect rightful usage and privacy of users; [0019]: the database of at least one preobtained description of content whose movement it is desired to monitor).

Peled discloses audit unit for preparing and storing unit reports of transportation of data identified as corresponding to content it is desired to monitor (Peled: [0079]). Peled does not explicitly disclose the user being alerted if an attempt to transmit the registered document over a network is made, whereby an alert element is configured during the requested registration of the registered document. However, Tarquini discloses alerting an administrator or user of suspicious activities based on the audit log (Tarquini: [0030]). It would have been obvious to one having ordinary skill in the art to allow the user to be notified of suspicious activities detected by the system because they are analogous art to prevent unauthorized data communication. Therefore, it would have been obvious to one having ordinary skill in the art at the time of applicant's

invention to combine the teachings of Tarquini within the system Peled because it allows the system to take security measures upon detection as well known in the art.

6. As per claim 3, Peled as modified discloses the method of claim 1. Peled as modified further discloses if the comparison results in a match of at least one of the signatures in the set of signatures with one or more of the plurality of stored signatures, then detecting registered content from the registered document being contained in the intercepted document (Peled: [0027]; multilevel description includes signature).

7. As per claim 4, Peled as modified discloses the method of claim 3. Peled as modified further discloses alarming the user that requested registration of the registered document in response to detecting the registered content (Peled: [0092]; taking enforcement action).

8. As per claim 5, Peled as modified discloses the method of claim 3. Peled as modified further discloses halting delivery of the intercepted document (Peled: [0079]).

9. As per claim 7, Peled as modified discloses the method of claim 1. Peled as modified further discloses wherein calculating the set of signatures of the intercepted document comprises calculating a plurality of hashes over one or more portions of the intercepted object (Peled: [0057]; hash).

10. As per claim 8, 10-12, 14-16, and 18-23, claims 8, 10-12, 14-16, and 18-23 encompass the same scope as claims 1, 3-5 and 7. Therefore, claims 8, 10-12, 14-16, and 18-23 are rejected based on the same reasons set forth above in rejecting claims 1, 3-5 and 7.

11. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Peled in view of Tarquini and further in view of Koike U.S. Pub. No. 20030084300 (hereinafter Koike).

12. As per claim 6, 13 and 21, Peled as modified discloses the method of claims 5, 12 and 20 respectively. Peled as modified does not explicitly disclose prompting the user that registered the registered document for permission to deliver the intercepted object, receiving permission from the user, and completing delivery of the intercepted object in response to receiving permission. However, Koike discloses when a privacy data administrator detects a match in the privacy filter, transmit a inquiry to user as to whether it is allowed to provide the data, and provide data upon permission by user (Koike: [0024]). It would have been obvious to one having ordinary skill in the art to allow the owner of the data to determine the action to be performed upon detection of unauthorized transport because both prior art disclose prevention of protected data from unauthorized access. Therefore, it would have been obvious to one having ordinary skill in the art to combine the teachings of Koike within the combination of Peled-Tarquini because it enforces dynamic rules on the user preference.

Response to Arguments

13. Applicant's arguments filed 12/23/08 have been fully considered but they are not persuasive.

Regarding applicant's remarks, applicant argues that the prior art of record does not explicitly disclose alert mechanism. However, the examiner has relied upon the Tarquini reference to disclose the alert mechanism .

On the other hand, applicant argues that the prior art of record fails to disclose that each registered document is associated with a user that requested registration of the document. However, the examiner disagrees. Peled discloses the system contains a database that contains pre-obtained description which means that a user is indicating certain contents to be monitored and the content to be monitored is "associated" with the user because the user made the request (Peled: [0011]: protect rightful usage and privacy of users; [0019]: the database of at least one preobtained description of content whose movement it is desired to monitor). Although Peled does not explicitly disclose registering and associating document with user, the database disclosed by Peled would require user to register the content to be protected as well known in the art.

Furthermore, applicant argues that the Peled does not explicitly disclose intercepting and reassembling operation. However, the examiner pointed to paragraph [0055] to disclose packet network that intercepts data and the buffered batch of packets shows that data are dissembled and reassembled for inspection and transmission. Therefore, applicant's argument is traversed in light of above explanation.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SHIN-HON CHEN whose telephone number is (571)272-3789. The examiner can normally be reached on Monday through Friday 8:30am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William R. Korzuch can be reached on (571) 272-7589. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Shin-Hon Chen
Primary Examiner
Art Unit 2431

/Shin-Hon Chen/
Primary Examiner, Art Unit 2431